**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CIVIL APPELLATE JURISDICTION.**

WRIT PETITION NO.4302 OF 2004

1. Pilu Sakharam Shinde & Anr .. Petitioners

Vs

1. Smt Housabai S Kurane & Ors .. Respondents

None for the petitioners.

Mr Padmanabh i/b Mr N.J.Patil, for R.Nos 1 to 6.

**CORAM : D.B.BHOSALE,J.**

**DATE : 31st August, 2005.**

**PC:**

1. This petition is directed against the concurrent findings recorded by the Courts below in the proceedings arising from Exhibit-5 application. Both the Courts have concurrently held that the respondents-plaintiffs are in possession of the suit land and have restrained the petitioners-defendants from causing any obstruction thereof.

2. This petition was filed by the petitioners in

September,1994 through their Advocate Shri S.M.Paranjape. Their Advocate died pending this petition and in view thereof notices were issued to the petitioners. Though the petitioners are served they have not bothered to appear in the instant writ petition either in person or through Advocate. Keeping that in view and considering that this petition is directed against the concurrent findings recorded by the Courts below, the writ petition is dismissed for nonprosecution.

**(D.B.BHOSALE, J.)**